



# MINUTES

## SENATE BUSINESS AND LABOR STANDING COMMITTEE

Wednesday, February 23, 2022 | 4:00 p.m. | 110 Senate Building

**Members Present:**

Sen. Curtis S. Bramble, Chair  
Sen. Kirk A. Cullimore  
Sen. Gene Davis  
Sen. Karen Mayne  
Sen. Daniel McCay  
Sen. Scott D. Sandall  
Sen. Todd D. Weiler

**Members Absent:**

Sen. Don L. Ipson  
Sen. Jerry W. Stevenson

**Staff Present:**

Adam J. Sweet, Policy Analyst  
Nancy Skidmore, Committee Secretary

Note: A copy of related materials and an audio recording of the meeting can be found at [www.le.utah.gov](http://www.le.utah.gov).

Acting Chair McCay called the meeting to order at 4:25 p.m.

**1. H.B. 338 Travel Insurance Amendments (*Hawkins, J.*)**

Rep. Hawkins presented the bill.

Michael Byrne, United States Travel Insurance Association, spoke in favor of the bill.

**MOTION:** Sen. Davis moved to pass H.B. 338 out favorably. The motion passed with a vote of 5 - 0 - 4.

Yeas - 5

Sen. G. Davis  
Sen. K. Mayne  
Sen. D. McCay  
Sen. S. Sandall  
Sen. T. Weiler

Nays - 0

Absent - 4

Sen. C. Bramble  
Sen. K. Cullimore  
Sen. D. Ipson  
Sen. J. Stevenson

**MOTION:** Sen. Sandall moved to place H.B. 338 on the Consent Calendar. The motion passed with a vote of 5 - 0 - 4.

Yeas - 5

Sen. G. Davis  
Sen. K. Mayne  
Sen. D. McCay  
Sen. S. Sandall  
Sen. T. Weiler

Nays - 0

Absent - 4

Sen. C. Bramble  
Sen. K. Cullimore  
Sen. D. Ipson  
Sen. J. Stevenson

**2. 1st Sub. H.B. 151 Retail Facility Incentive Payments Amendments (*Schultz, M.*)**

Rep. Schultz presented the bill with the assistance of Dan Hemmert, Executive Director, Governor's Office of Economic Development, Ben Hart, Deputy Director, Governor's Office of Economic Development.

Sen. Bramble assumed the chair.

**MOTION:** Sen. Weiler moved to replace 1st Substitute H.B. 151 with 2nd Substitute H.B. 151. The motion passed with a vote of 6 - 0 - 3.

Yeas - 6  
 Sen. C. Bramble  
 Sen. G. Davis  
 Sen. K. Mayne  
 Sen. D. McCay  
 Sen. S. Sandall  
 Sen. T. Weiler

Nays - 0

Absent - 3  
 Sen. K. Cullimore  
 Sen. D. Ipson  
 Sen. J. Stevenson

Cameron Diehl, Executive Director, Utah League of Cities and Towns, commented on the bill.

**MOTION:** Sen. Weiler moved to pass 2nd Substitute H.B. 151 out favorably. The motion passed with a vote of 6 - 0 - 3.

Yeas - 6  
 Sen. C. Bramble  
 Sen. G. Davis  
 Sen. K. Mayne  
 Sen. D. McCay  
 Sen. S. Sandall  
 Sen. T. Weiler

Nays - 0

Absent - 3  
 Sen. K. Cullimore  
 Sen. D. Ipson  
 Sen. J. Stevenson

**3. S.B. 239 Congregate Care Program Amendments (McKell, M.)**

Sen. McKell presented the bill.

**MOTION:** Sen. Weiler moved to amend S.B. 239 with Amendment #1. The motion passed with a vote of 6 - 0 - 3.

Amendment 1  
 S.B. 239

1. Page 11, Lines 311 through 317:

311 (50) (a) "Youth transportation company" means any person that transports a child for  
 312 payment to or from a congregate care program in Utah.  
 313 (b) "Youth transportation company" does not include:  
 314 (i) a relative of the child;  
 315 (ii) a state agency; or  
 316 (iii) ~~{ a person that transports the child from a congregate care program and returns the~~  
 317 ~~child to the same congregate care program within 48 hours.}~~ a congregate care program's employee who  
transports the child from the congregate care program that employs the employee and returns the child to the same  
congregate care program.

2. Page 29, Line 891 through Page 30, Line 903:

891 (6) (a) A congregate care program:  
 892 ~~[(a)] (i) [when not otherwise prohibited by law] subject to Subsection (6)(b), shall~~  
 893 ~~facilitate weekly confidential [communication] voice-to-voice communication~~ between a child  
 894 and the child's parents, guardian, foster parents, and siblings, as applicable;  
 895 ~~[(b)] (ii) shall ensure that the communication described in Subsection (6)(a)(i)~~  
 896 ~~complies with the child's treatment plan, if any; and~~  
 897 ~~[(c)] (iii) may not use family contact as an incentive for proper behavior or withhold~~  
 898 ~~family contact as a punishment.~~  
 899 (b) ~~{ A congregate care program may deny the communication, or modify the frequency~~  
 900 ~~or the form of the communication described in Subsection (6)(a)(i) if:~~  
 901 ~~— (i) the office approves the denial or modification; or~~  
 902 ~~— (ii) state law or a court order prohibits the communication, the frequency, or the form~~  
 903 ~~of the communication.}~~

For the communication described in Subsection (6)(a)(i), a congregate care program may not:  
(i) deny the communication unless state law or a court order prohibits the communication; or  
(ii) modify the frequency or form of the communication unless:  
(A) the office approves the modification; or  
(B) state law or a court order prohibits the frequency or the form of the communication.

Yeas - 6  
Sen. C. Bramble  
Sen. G. Davis  
Sen. K. Mayne  
Sen. D. McCay  
Sen. S. Sandall  
Sen. T. Weiler

Nays - 0

Absent - 3  
Sen. K. Cullimore  
Sen. D. Ipson  
Sen. J. Stevenson

Andrew Riggle, Public Policy Advocate, Disability Law Center, spoke in favor of the bill.

Daniel Sanderson, Clinical Psychologist, spoke in opposition to the bill.

Sherri Wittwer, Mental Health Advocate, Peers Empowering Peers, spoke in favor of the bill.

**MOTION:** Sen. Weiler moved to pass S.B. 239 out favorably. The motion passed with a vote of 6 - 0 - 3.

Yeas - 6  
Sen. C. Bramble  
Sen. G. Davis  
Sen. K. Mayne  
Sen. D. McCay  
Sen. S. Sandall  
Sen. T. Weiler

Nays - 0

Absent - 3  
Sen. K. Cullimore  
Sen. D. Ipson  
Sen. J. Stevenson

**MOTION:** Sen. Weiler moved to approve the minutes of the February 22, 2022, meeting. The motion passed with a vote of 6 - 0 - 3.

Yeas - 6  
Sen. C. Bramble  
Sen. G. Davis  
Sen. K. Mayne  
Sen. D. McCay  
Sen. S. Sandall  
Sen. T. Weiler

Nays - 0

Absent - 3  
Sen. K. Cullimore  
Sen. D. Ipson  
Sen. J. Stevenson

**4. 2nd Sub. H.B. 11 Student Eligibility in Interscholastic Activities (*Birkeland, K.*)**

Rep. Birkeland distributed a handout.

[HB11 Student Eligibility in Interscholastic Activities](#)

Rep. Birkeland presented the bill with the assistance of Robin Wilson, Law Professor, Donna de Varona, Board of Director, United States Olympic & Paralympic Committee.

David Spatafor, Utah High School Athletics Association, spoke in opposition to the bill.

Mike Brown, Citizen, spoke in opposition to the bill.

Troy Williams, Executive Director, Equality Utah, spoke in opposition to the bill.

Larkin Murphy, Citizen, commented on the bill.

Clifford Rosky, Member, Equality Utah Advisory Council, spoke in opposition to the bill.

Helen Robskin, Citizen, spoke in opposition to the bill.

Gail Ruzicka, President, Utah Eagle Forum, spoke in opposition to the bill.

Kris Kimball, Citizen, spoke in opposition to the bill.

Jamie Reind, Citizen, spoke in opposition the bill.

Tara Grace Owen, Executive Director, Transgender Inclusion Project, spoke in opposition to the bill.

Marilyn Larson, Citizen, spoke in opposition to the bill.

Marina Lowe, Lobbyist, ACLU of Utah, spoke in opposition of the bill.

Jessica Perry, Citizen, spoke in favor of the bill.

Mindy Meeks, Citizen, spoke in opposition to the bill.

Harmony Vanderhorst, Citizen, spoke in favor of the bill.

Aaron Davidson, Citizen, spoke in opposition of the bill.

Samantha Manwill, Social Worker, spoke in opposition to the bill.

**MOTION:** Sen. Sandall moved to pass 2nd Substitute H.B. 11 out favorably. The motion passed with a vote of 4 - 3 - 2.

Yeas - 4  
Sen. C. Bramble  
Sen. K. Cullimore  
Sen. D. McCay  
Sen. S. Sandall

Nays - 3  
Sen. G. Davis  
Sen. K. Mayne  
Sen. T. Weiler

Absent - 2  
Sen. D. Ipson  
Sen. J. Stevenson

**SUBSTITUTE MOTION:** Sen. Davis moved to adjourn. The substitute motion failed with a vote of 2 - 5 - 2.

Yeas - 2  
Sen. G. Davis  
Sen. K. Mayne

Nays - 5  
Sen. C. Bramble  
Sen. K. Cullimore  
Sen. D. McCay  
Sen. S. Sandall  
Sen. T. Weiler

Absent - 2  
Sen. D. Ipson  
Sen. J. Stevenson

Sen. Sandall's motion to pass 2nd Substitute H.B. 11 out favorably passed with a vote of 4 - 3 - 2.

Yeas - 4  
Sen. C. Bramble  
Sen. K. Cullimore  
Sen. D. McCay  
Sen. S. Sandall

Nays - 3  
Sen. G. Davis  
Sen. K. Mayne  
Sen. T. Weiler

Absent - 2  
Sen. D. Ipson  
Sen. J. Stevenson

**MOTION:** Sen. McCay moved to adjourn. The motion passed with a vote of 7 - 0 - 2.



Yeas - 7

Sen. C. Bramble  
Sen. K. Cullimore  
Sen. G. Davis  
Sen. K. Mayne  
Sen. D. McCay  
Sen. S. Sandall  
Sen. T. Weiler

Nays - 0

Absent - 2

Sen. D. Ipson  
Sen. J. Stevenson

Chair Bramble adjourned the meeting at 6:17 p.m.